IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Bail Appl..No. 1322 of 2007()

CRIME NO. 20/2006 OF KOTTAYAM EXCISE RANGE

: PETITIONER.

SABU K.N. S/O.NARAYANAN,
KANJIRATHUMOOTTIL HOUSE,
PATHAMUTTOM P.O. KOTTAYAM.

BY ADV. SRI.V.K.SUNIL
SRI.AJEY THOMAS

RESPONDENTS: STATE.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1322/2007

Dated this 6th day of March, 2007

O R D E R

The petitioner who is the accused in C.R.No.20/2006 of Excise Range, Kottayam for an offence punishable under Section 55(a) of the Abkari Act for allegedly having been found in possession of three and a half litres of spirit on 20.11.2006 and who was arrested on 10.12.2006 in connection with another crime namely C.R.No.9/2006 of the same Excise Range, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail ordered by the Magistrate concerned.

4. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for the purpose of interrogation. Thereafter, the

petitioner shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs